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W.P.No.18488 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.18488 of 2024

Dr. V.R.Selva Ambigai

... Petitioner

Vs

1. The Chairman,
Mother Theresa Post Graduate & Research
Institute of Health Sciences,
Indira Nagar, Gorimedu,
Puducherry.

2. The Dean,
Mother Theresa Post Graduate & Research
Institute of Health Sciences,
Indira Nagar, Gorimedu,
Puducherry.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to consider the petitioner representation dated 17.05.2024 and pass orders on the same on merits and in accordance with law within a time frame that may be fixed by this Court.

For Petitioner : Ms. D.Geetha



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For Respondents : Mr. Syed Mustafa,
Special Government Pleader

O R D E R

This Writ Petition is filed for directing the first respondent to consider the representation dated 17.05.2024 made by the petitioner seeking appointment in the newly created post of Associate Professor in Paediatrics Nursing.

2. The petitioner was appointed as Staff Nurse on 15.08.2001. Thereafter, she was qualified with M.A. Psychology, M.Sc., Nursing and Ph.D in Nursing. Though the petitioner was promoted to the post of Assistant Professor, her name was placed in the bottom of the seniority list. The petitioner's junior was promoted to the Associate Professor. Therefore, the petitioner filed a Writ Petition in W.P. No. 15068 of 2021 before this Court and the same was dismissed by order dated 22.11.2023. Aggrieved by the same, the petitioner also filed a Writ Appeal in W.A. No. 3561 of 2023 before the Division Bench of this Court and it is pending.



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3. While that being so, now the respondents have created as additional post of Associate Professor in Paediatrics Nursing and taking steps to fill the said post for promotion. Therefore, the petitioner submitted representation dated 17.05.2024 seeking promotion to the post of Associate Professor in Paediatrics Nursing. Already, the petitioner challenging the promotion of her junior to the post of Associate Professor, and it is pending in the said Writ Appeal. Therefore, the representation dated 17.05.2024 submitted by the petitioner now cannot be considered.

4. In result, this Writ Petition is dismissed. However, the petitioner is at liberty to file fresh representation subject to the result of the said Writ Appeal. No costs.

08.07.2024

Index:Yes/No
Neutral Citation/Yes/No
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To

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G.K.ILANTHIRAIYAN, J.

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